

#11  
RCE 27005  
13/04

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

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Application No. 09/896,395  
Filing Date June 29, 2001  
First Named Inventor Brian K. Langendorf et al.  
Art Unit 2189  
Examiner Name Myers, Paul R.  
Attorney Docket No. 42390P10570

DEC 31 2003

Technology Center 2100

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** – Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a.  Previously submitted If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.)
- ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii.  Other \_\_\_\_\_
- b.  Enclosed
- i.  Amendment/Reply  
ii.  Affidavit(s)/Declaration(s)  
iii.  Information Disclosure Statement (IDS) | 12/30/2003 JADD01 00000047 09896395  
iv.  Other | 01 FC:1801 770.00 OP
2. **Miscellaneous**
- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)
- b.  Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.
- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
- i.  RCE fee required under 37 C.F.R. § 1.17(e)  
ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)  
iii.  Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action  
iv.  Other \_\_\_\_\_
- b.  Check in the amount of \$ 770.00 enclosed  
c.  Payment by credit card (Form PTO-2038 enclosed)
- WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Kevin G. Shao Registration No. (Attorney/Agent) 45,095  
Signature Kevin G. Shao Date 12/22/2003

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Deborah A. McGovern  
Signature Deborah A. McGovern Date December 22, 2003



## **FEE TRANSMITTAL FOR FY 2004**

(FY 2004 Begins 10/01/2003)

**TOTAL AMOUNT OF PAYMENT (\$)** 770.00

Complete & Known  
Application No. 09/896,395  
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**Applicant claims small entity status. See 37 CFR 1.27.**

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**METHOD OF PAYMENT (check all that apply)**

**X** Check \_\_\_\_\_ Credit Card \_\_\_\_\_ Money Order \_\_\_\_\_ Other \_\_\_\_\_ None \_\_\_\_\_

## Deposit Account

**Deposit Account Number :** 02-2666

**Deposit Account Name:** \_\_\_\_\_

**X** The Director is Authorized to do the following with respect to the above-identified Deposit Account:

**Charge fee(s) indicated below.**

**Credit any overpayments.**

Charge any additional fees during the pendency of this application.

**X** Any concurrent or future reply that requires a petition for extension of time should be treated as

**Incorporating an appropriate petition for extension of time and all required fees should be charged.**

**Charge fee(s) indicated below except for the filing fee.**

## **FEE CALCULATION**

## **1. BASIC FILING FEE**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	
Code	(\$)	Code (\$)	
1001	770	2001 385	Utility application filing fee
1002	340	2002 170	Design application filing fee
1003	530	2003 265	Plant filing fee
1004	770	2004 385	Reissue filing fee
1005	160	2005 80	Provisional application filing fee

## **2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
<b>Total Claims</b> <u>30</u>	$- 30^{**} =$ <u>0</u>	X _____	= <u>0</u>
<b>Independent Claims</b> <u>4</u>	$- 4^{**} =$ <u>0</u>	X _____	= <u>0</u>
<b>Multiple Dependent</b>		= _____	

**\*\*Or number previously paid, if greater: For Reissues, see below.**

<u>Large Entity</u>				<u>Small Entity</u>
Fee	Fee	Fee	Fee	<u>Fee Description</u>
Code	(\$)	Code	(\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) \$ 0**

**FEE CALCULATION (continued)****RECEIVED**

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**3. ADDITIONAL FEES**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	Fee
Code	(\\$)	Code	(\\$)
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1813	8,800	1813	8,800
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	110	2251	55
1252	420	2252	210
1253	950	2253	475
1254	1,480	2254	740
1255	2,010	2255	1,005
1401	330	2401	165
1402	330	2402	165
1403	290	2403	145
1451	1,510	1451	1,510
1452	110	2452	55
1453	1,330	2453	665
1501	1,330	2501	665
1502	480	2502	240
1503	640	2503	320
1460	130	1460	130
1807	50	1807	50
1806	180	1806	180
8021	40	8021	40
1809	770	2809	385
1814	110	2814	55
1810	770	2810	385
1801	770	2801	385
1802	900	1802	900
1504	300	1504	300
1505	300	1505	300
1803	130	1803	130
1808	130	1808	130
1454	1,330	1454	1,330
			Acceptance of unintentionally delayed claim for priority

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 770.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**

Typed or Printed Name: Kevin G. Shao

Signature:  Date: 12/22/2003

Reg. Number: 45,095 Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450